

JIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVARIUS LAVALLE RIGGINS,

Plaintiff,
v.

SCOTT DZEKUTE and MARK VOIGT,

ORDER

17-cv-481-jdp

Defendants.

Pro se plaintiff Davarius Riggins alleges that defendants Scott Dzekute and Mark Voigt physically assaulted him, in violation of the Fourteenth Amendment. But since September 2017, he has failed to respond to any correspondence from either the court or defendants' counsel. Defendants moved to dismiss the case for Riggins's failure to prosecute. Dkt. 23. On June 4, 2018, I gave Riggins one final chance to cooperate with defendants' attempts to contact him. Dkt. 26. Because Riggins has not responded, I will dismiss the case with prejudice.

In my previous order, I directed the clerk of courts to send the order to two separate addresses obtained from publicly available records on CCAP.¹ I also warned Riggins that if he did not respond within one week, I would dismiss the case with prejudice under Federal Rule of Civil Procedure 41(b). All mail sent to the first address was returned as undeliverable. Dkt. 27-29. But mail sent to the second address was not returned, and I did not receive a response. The June 11 deadline for Riggins to respond has long past.

ORDER

IT IS ORDERED that this case is DISMISSED with prejudice for plaintiff's failure to

¹ The order was sent to 641 W Main Street, Apt. 209, Madison WI; and 714 Vera Court, Apt. 102, Madison, WI.

prosecute it. The clerk of court is directed to enter judgment in favor of defendants and close this case.

Entered July 25, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge